

Collection of Tuition and Fees Supporting Adult Education Programs

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Introduction:

Utah state law 53A-15-401 provides for the establishment of fees which shall be imposed by the local school boards for participation in adult education programs. Fee structures for adult education shall take into account the ability of the Utah resident who participates in adult education to pay the fees. Pursuant to state law 53A-15-403, local boards of education may raise and appropriate funds for an adult education program and determine the fees for participation in adult education programs (53A-12-101 and 53A-15-401).

Programs (school districts and/or other non-profit eligible provider) receiving federal Adult Education and Family Literacy Act (AEFLA) funds may charge reasonable and necessary tuition or fees to be used *specifically* to provide *additional* adult education and literacy services that the program would otherwise be unable to provide. 34 CFR 80.25 allows for state grantees of AEFLA awards to earn program income. Subsection 80.25 (b) defines program income as stated. Collected fees and tuition *must* be used to assist adult students in becoming literate, obtaining knowledge and skills necessary for employment and self-sufficiency, obtaining the education skills necessary to become full partners in their child's education, and completing their secondary school education (AEFLA Section 202).

Definitions:

Fees: "Any charge, deposit, rental, or other mandatory payment, however designated, whether in the form of money or goods. Admission fees, transportation charges, and similar payments to third parties are fees if the charges are made in connection with an activity or function sponsored by or through a school. All fees are subject to approval by the local school board of education" (Rule R277-733-1-I).

Tuition: "The base cost of an adult education program providing services to the adult education student" (Rule R277-733-1-O).

Board Rule R277-733-8 B: "Tuition and fees shall be charged for literacy courses and adult high general courses in the amount not to exceed \$100 annually per student based on the student's ability to pay as determined by federal free and reduced lunch guidelines, under the Richard B. Russell National School Lunch Act, 42 USC 1751, et seq. The appropriate student fees and tuition shall be determined by the local school board."

Purpose:

- To ensure that any fees and/or tuition charged to adult education students by the local boards of education or nonprofit eligible provider are equitably administered and do not reach levels that have an adverse effect on participation of economically disadvantaged students.
- To ensure that any fees and/or tuition charged to adult education students by the local boards of education or nonprofit eligible provider are maintained and used directly for the specific purpose of providing adult education services to qualified adult education students.

Local Program Responsibilities:

- Directors of adult education local programs receiving state and/or federal AEFLA and/or English Language Education/Civics funds are responsible to report to the business administrator tuition and fees collected from students participating in adult education programs on an annual basis for deposit into the appropriate account.

For reporting purposes (federal \$ ÷ state \$ = % that should be applied to students receiving services from federal funds on a per student prorated basis).

- The local program superintendent/chief executive officer (CEO) *and* the business administrator are responsible to acknowledge by signature the program assurances as part of the program's grant plan submission – that all fees and tuition collected and submitted for accounting purposes are returned/delegated (with the exception of state-approved indirect costs) to the local adult education program to be used solely and specifically for adult education programming and not withheld and maintained in a general maintenance and operation fund or used for any other funding purpose.
- Tuition and fees generated from the previous fiscal year must be spent in the adult education program during the ensuing program year.
- Directors must ensure that tuition and fees collected from students are not counted toward meeting federal matching, cost-sharing, or maintenance of effort requirements related to the local program's award.

State Responsibilities:

- The USOE School Finance Department provides assurance that fees collected and reported on the USOE Statewide Special Populations (D) Report reflect only fees collected from adult education programs, not other entities (including but not limited to community education).
- Assurance is provided that program business administrators are provided with annual inservice pertaining directly to the collection and reporting procedure of adult education fees, including the assurance that such fees are in fact returned and used directly by the local adult education programs for the specific purpose of providing additional adult education and literacy services.

For annual federal Financial Status Reporting purposes, the following formula will be utilized in determining the proportionate amount of fees associated with federally funded programs (AEFLA and EL/Civics Education):

$\begin{aligned} &\text{Total number of federally identified students} \div \text{total number of all students} = \% \\ &\% \times \text{fees collected} = \text{proportionate \$ amount of fees collected} \end{aligned}$
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